

MEMORANDUM

Agenda Item No. 11(A)(14)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners


DATE: January 21, 2015

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution directing the Mayor to continue strategic implementation of Miami-Dade County's Environmentally Endangered Lands (EEL) Program, consistent with program objectives as approved by the voters, and to identify potential additional long-term funding sources for the continued acquisition and management of EEL lands

This item was amended at the December 11, 2014 Land Use & Development Committee to include quarterly status reports to commence from the effective date of the Resolution until the issuance of the final report.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa, and Co-Sponsors Commissioner Daniella Levine Cava and Commissioner Jose "Pepe" Diaz.



R. A. Cuevas, Jr.
County Attorney

RAC/smm



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: January 21, 2015

FROM: 
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County Attorney

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Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's _____, 3/5's _____, unanimous _____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(14)

1-21-15

RESOLUTION NO. _____

RESOLUTION DIRECTING THE MAYOR OR MAYOR'S
DESIGNEE TO CONTINUE STRATEGIC IMPLEMENTATION
OF MIAMI-DADE COUNTY'S ENVIRONMENTALLY
ENDANGERED LANDS (EEL) PROGRAM, CONSISTENT
WITH PROGRAM OBJECTIVES AS APPROVED BY THE
VOTERS, AND TO IDENTIFY POTENTIAL ADDITIONAL
LONG-TERM FUNDING SOURCES FOR THE CONTINUED
ACQUISITION AND MANAGEMENT OF EEL LANDS

WHEREAS, Florida is considered one of the most vulnerable areas in the country with respect to the consequences of climate change, with Southeast Florida on the frontline to experience the impacts of climate change, especially sea level rise, due to its low-lying topography, porous substrata, and extensive coastal infrastructure; and

WHEREAS, Miami-Dade County has been in the forefront of these issues for many years and gives significant consideration to adaptation strategies designed to protect public infrastructure, property, water resources, natural areas and native species, and basic quality of life; and

WHEREAS, in 1990 the citizens of Miami-Dade County voted and approved a property tax to fund the acquisition, protection and maintenance of environmentally endangered lands, and this tax was collected for two years; and

WHEREAS, Miami-Dade County's Environmentally Endangered Lands Program (hereinafter "EEL Program") identifies, secures and manages lands for preservation; and

WHEREAS, through the EEL Program, Miami-Dade County and its purchasing partners have brought to date more than 21,500 acres of environmentally endangered lands into public ownership within the County; and

WHEREAS, the EEL Program manages 2,800 additional acres of natural lands within Miami-Dade County Parks; and

WHEREAS, EEL lands provide many critical public services to our residents and visitors, such as protection against saltwater intrusion, aquifer recharge and wellfield protection, carbon sequestration, protected species and habitat conservation; and

WHEREAS, approved EEL Acquisition Project areas include lands that are within the boundaries of identified regional ecosystem restoration projects and continuing acquisition of those lands help provide options to adapt to sea level rise; and

WHEREAS, in July of 2013, the Board of County Commissioners (hereinafter "this Board") created the Miami-Dade Sea Level Rise Task Force through the adoption of Resolution No. R-599-13 to review the relevant data and prior studies, assessments, reports, and evaluations of the potential impact of sea level rise on vital public services and facilities, real estate, water and other ecological resources, water front property, and infrastructure; and

WHEREAS, at the direction of this Board, the Miami-Dade Sea Level Rise Task Force issued a report with their findings on July 1, 2014, that included an assessment of the likely and potential impacts of sea level rise and storm surge over time and set forth six recommendations to ensure that Miami-Dade County is taking appropriate actions to reduce its contributions to climate-induced sea level rise and to ensure its resiliency to the increase in sea level rise, storm surge and related impacts which are expected to occur; and

WHEREAS, after making their recommendations the Miami-Dade Sea Level Rise Task Force sunset and dissolved in July of 2014, pursuant to Resolution No. R-559-13; and

WHEREAS, the Miami-Dade Sea Level Rise Task Force recommended acceleration of the strategic use of EEL Program,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Directs the Mayor or Mayor's designee to continue strategic implementation of Miami-Dade County's Environmentally Endangered Lands Program, consistent with the Program objectives as approved by the voters, and to identify additional potential long-term funding sources for continued acquisition and management of EEL lands.

Section 2. Further directs that the Mayor or Mayor's designee shall prepare a report regarding the issues identified in Section 1 above and shall provide the report to this Board within 364 days of the effective date of this resolution and place the completed report on an agenda of the Board pursuant to Ordinance No. 14-65~~[[.]]~~¹ >>and directs that, from the effective date of this resolution to the time the final report is issued, the Mayor or Mayor's designee shall prepare quarterly status reports regarding the issues identified in Section 1 above, provide the status reports to this Board on a quarterly basis, and place the status reports on an agenda of the Board pursuant to Ordinance No. 14-65.<<

The Prime Sponsor of the foregoing resolution is Commissioner Rebeca Sosa, and the Co-Sponsors are Commissioner Daniella Levine Cava and Commissioner Jose "Pepe" Diaz. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

¹ Committee amendments are indicated as follows: Words stricken through and/or [[double bracketed]] are deleted, words underscored and/or >>double arrowed<< are added.

Jean Monestime, Chairman
Esteban L. Bovo, Jr., Vice Chairman

Bruno A. Barreiro

Jose "Pepe" Diaz

Sally A. Heyman

Dennis C. Moss

Sen. Javier D. Souto

Juan C. Zapata

Daniella Levine Cava

Audrey M. Edmonson

Barbara J. Jordan

Rebeca Sosa

Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of January, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Christopher A. Angell